



ADMINISTRATION AND  
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

APR 16 2013

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT  
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter and Membership Balance Plan Consultation – *Reserve Forces Policy Board*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Reserve Forces Policy Board* (attached). The Board will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and in accordance with 41 CFR § 102-3.50.

Prior to filing the Board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectively requests that the Committee Management Secretariat review and approve the proposed charter and membership balance plan (attached). Both documents has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-692-5949.

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James D. Freeman II  
Advisory Committee Management  
Officer for the Department of Defense

Attachments  
Proposed Charter  
Proposed Membership Balance Plan

Charter  
Reserve Forces Policy Board

1. Committee's Official Designation: The committee shall be known as the Reserve Forces Policy Board ("the Board").
2. Authority: The Secretary of Defense, as required by 10 U.S.C. §§ 175 and 10301, established the Board as a non-discretionary advisory committee in accordance with the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) FACA) and 41 C.F.R. § 102-3.50(a).
3. Objectives and Scope of Activities: Under the provision of 10 U.S.C. § 113(c)(2), the Board shall provide to the Secretary of Defense, for transmittal to the President and the Congress, an annual report on any reserve component matter that the Board considers appropriate to include, as described in paragraph four below.
4. Description of Duties: The Board shall serve as an independent adviser to the Secretary of Defense to provide advice and recommendations to the Secretary on strategies, policies, and practices designed to improve and enhance the capabilities, efficiency, and effectiveness of the reserve components. The Board may act on those matters referred to it by the Chairman and on any matter raised by a member of the Board or the Secretary of Defense.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense. The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the office of the USD(P&R) shall provide support as deemed necessary for the Board's performance and shall ensure compliance with the requirements of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating costs to include travel and contract support, is approximately \$2,000,000.00. The estimated annual personnel cost to the DoD is 8.4 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and its subcommittees for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to DoD policies and procedures, shall attend the entire duration of the Board or subcommittee meetings.

The DFO, or the Alternate DFO, will approve or call all of the Board's and its subcommittee meetings, prepare and approve all meeting agendas, adjourn any meeting



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when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the DFO, in consultation with the Board's chairperson, and the estimated number of Board meetings is four per year.
10. Duration: Pursuant to 10 U.S.C. §§ 175 and 10301, the need for this advisory function is on a continuing basis, however, it is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 10 U.S.C. §§ 175 and 10301. The Board shall cease to operate two years from the date this charter is filed, unless the Secretary of Defense extends it.
12. Membership and Designation: The Board consists of 20 members, appointed or designated as follows:
  - a. A civilian appointed by the Secretary of Defense from among persons determined by the Secretary to have the knowledge of, and experience in, policy matters relevant to national security and reserve component matters necessary to carry out the duties of chair of the Board, who shall serve as chair of the Board.
  - b. Two active or retired reserve officers or enlisted members designated by the Secretary of Defense upon the recommendation of the Secretary of the Army:
    - 1) One of whom shall be a member of the Army National Guard of the United States or a former member of the Army National Guard of the United States in the Retired Reserve; and
    - 2) One of whom shall be a member or retired member of the Army Reserve.
  - c. Two active or retired reserve officers or enlisted members designated by the Secretary of Defense upon recommendation of the Secretary of the Navy:
    - 1) One of whom shall be an active or retired officer of the Navy Reserve; and
    - 2) One of whom shall be an active or retired officer of the Marine Corps Reserve.
  - d. Two active or retired reserve officers or enlisted members designated by the Secretary of Defense upon the recommendation of the Secretary of the Air Force:
    - 1) One of whom shall be a member of the Air National Guard of the United States or a former member of the Air National Guard of the United States in the Retired Reserve; and
    - 2) One of whom shall be a member or retired member of the Air Force Reserve.
  - e. One active or retired reserve officer or enlisted member of the U.S. Coast Guard designated by the Secretary of Homeland Security.

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- f. Ten persons appointed or designated by the Secretary of Defense, each of whom shall be a United States citizen having significant knowledge of and experience in policy matters relevant to national security and reserve component matters and shall be one of the following:
  - 1) An individual not employed in any Federal or State department or agency.
  - 2) An individual employed by a Federal or State department or agency.
  - 3) An officer of a regular component of the armed forces on active duty, or an officer of a reserve component of the armed forces in an active status, who
    - a. Is serving or has served in a senior position on the Joint Staff, the headquarters staff of a combatant command, or the headquarters staff of an armed force; and
    - b. Has experience in joint professional military education, joint qualification, and joint operations matters.
- g. A reserve officer of the Army, Navy, Air Force, or Marine Corps who is a general or flag officer recommended by the chair and designated by the Secretary of Defense, who shall serve without vote—
  - 1) As military adviser to the chair;
  - 2) As military executive officer of the Board; and
  - 3) As supervisor of the operations and staff of the Board.
- h. A senior enlisted member of a reserve component recommended by the chair and designated by the Secretary of Defense, who shall serve without vote as enlisted military adviser to the chair.

Members of the Board appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Members of the Board appointed by the Secretary of Defense, who are full-time or permanent part-time Federal employees, shall serve as regular government employee (RGE) members. All members of the Board are appointed to provide advice to the government on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Members of the Board shall serve a term of service of three years, and their appointments must be renewed by the Secretary of Defense on an annual basis. Members shall not serve more than two consecutive terms of service without approval of the Secretary of Defense.

All members of the Board will receive compensation for travel and per diem as it pertains to official business of the Board. Members of the Board who are appointed by the Secretary as SGE members will serve without compensation.

- 13. Subcommittees: The Department, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task groups, and working groups to support the Board. Establishment of subcommittees will be based on a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R).



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Reserve Forces Policy Board

The Department will establish four permanent subcommittees. The subcommittees will have no more than 15 members and will normally meet once per quarter. A subcommittee Chairperson will be appointed by the Secretary of Defense. The four permanent subcommittees and their missions are:

- a. Subcommittee on Creating a Continuum of Service will examine what programs and processes are key to allowing personnel to seamlessly meet DoD's requirements.
- b. Subcommittee on Enhancing DoD's Role in the Homeland is focused on improving the capability and capacity of the Reserve Component to address the increasing threats to the homeland.
- c. Subcommittee on Insuring a Ready, Capable, Available, and Sustainable Operational Reserve is focused on retaining the operational capability & experience within the Reserve Component to meet future threats.
- d. Subcommittee on Supporting Service Members, Families & Employers assesses whether the current programs and policies are meeting the needs of an operational reserve.

Such subcommittees shall not work independently of the Board, and shall report all their recommendations and advice solely to the Board for full deliberation and discussion. Subcommittees have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board; nor can any subcommittee or their members report directly to the DoD or any Federal officers or employees.

All subcommittee members will be appointed in the same manner as the Board members; that is, the Secretary of Defense will appoint subcommittee members even if the member in question is already a member of the Board.

Subcommittee members, if not full-time or part-time government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and to serve as special government employees. Subcommittee members shall serve a term of service of three years, and their appointments must be renewed by the Secretary of Defense on an annual basis. Subcommittee members shall not serve more than two consecutive terms of service without approval of the Secretary of Defense. With the exception of travel and per diem for official travel related to the Board or its subcommittees, subcommittee members shall serve without compensation.

Each subcommittee member is appointed to provide advice to the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

All subcommittees operate under the provisions of FACA, the Sunshine Act, other governing Federal statutes and regulations, and governing DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26 and governing DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

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15. Filing Date:

Membership Balance Plan  
Reserve Forces Policy Board

Agency: Department of Defense

1. Authority: The Secretary of Defense, as required by 10 U.S.C. §§ 175 and 10301, established the Reserve Forces Policy Board ("the Board") as a non-discretionary advisory committee in accordance with the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) (FACA) and 41 C.F.R. § 102-3.50(a).
2. Mission/Function: Pursuant to 10 U.S.C. § 113(c)(2), the Board shall provide to the Secretary of Defense, for transmittal to the President and the Congress, an annual report on any reserve component matter that the Board considers appropriate to include.

The Board shall serve as an independent adviser to the Secretary of Defense to provide advice and recommendations on strategies, policies, and practices designed to improve and enhance the capabilities, efficiency, and effectiveness of the reserve components. The Board may act on those matters referred to it by the Chairman and on any matter raised by a member of the Board or the Secretary of Defense.

3. Points of View: The Board consists of 20 members, appointed or designated as follows:
  - a. A civilian appointed by the Secretary of Defense from among persons determined by the Secretary to have the knowledge of, and experience in, policy matters relevant to national security and reserve component matters necessary to carry out the duties of chair of the Board, who shall serve as chair of the Board.
  - b. Two active or retired reserve officers or enlisted members designated by the Secretary of Defense upon the recommendation of the Secretary of the Army:
    - 1) One of whom shall be a member of the Army National Guard of the United States or a former member of the Army National Guard of the United States in the Retired Reserve; and
    - 2) One of whom shall be a member or retired member of the Army Reserve.
  - c. Two active or retired reserve officers or enlisted members designated by the Secretary of Defense upon recommendation of the Secretary of the Navy:
    - 1) One of whom shall be an active or retired officer of the Navy Reserve; and
    - 2) One of whom shall be an active or retired officer of the Marine Corps Reserve.
  - d. Two active or retired reserve officers or enlisted members designated by the Secretary of Defense upon the recommendation of the Secretary of the Air Force:
    - 1) One of whom shall be a member of the Air National Guard of the United States or a former member of the Air National Guard of the United States in the Retired Reserve; and
    - 2) One of whom shall be a member or retired member of the Air Force Reserve.
  - e. One active or retired reserve officer or enlisted member of the U.S. Coast Guard designated by the Secretary of Homeland Security.



Membership Balance Plan  
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- f. Ten persons appointed or designated by the Secretary of Defense, each of whom shall be a United States citizen having significant knowledge of and experience in policy matters relevant to national security and reserve component matters and shall be one of the following:
  - 1) An individual not employed in any Federal or State department or agency.
  - 2) An individual employed by a Federal or State department or agency.
  - 3) An officer of a regular component of the armed forces on active duty, or an officer of a reserve component of the armed forces in an active status, who
    - a) Is serving or has served in a senior position on the Joint Staff, the headquarters staff of a combatant command, or the headquarters staff of an armed force; and
    - b) Has experience in joint professional military education, joint qualification, and joint operations matters.
- g. A reserve officer of the Army, Navy, Air Force, or Marine Corps who is a general or flag officer recommended by the chair and designated by the Secretary of Defense, who shall serve without vote—
  - 1) As military adviser to the chair;
  - 2) As military executive officer of the Board; and
  - 3) As supervisor of the operations and staff of the Board.
- h. A senior enlisted member of a reserve component recommended by the chair and designated by the Secretary of Defense, who shall serve without vote as enlisted military adviser to the chair.

Members of the Board appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Members of the Board appointed by the Secretary of Defense, who are full-time or permanent part-time Federal employees, shall serve as regular government employee (RGE) members.

- 4. Other Balance Factors: Additional balanced membership criteria applied to Board selection and balance consists of military experience, familiarity with reservist family support issues, and experience with employer support issues with reservists.
- 5. Candidate Identification Process: The Designated Federal Officer (DFO) will use the process as stated below to provide highly qualified nominees for all Board members designated in 10 U.S.C. § 10301. Selected candidates must provide a cross section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the Board, in accordance with 10 U.S.C. § 10301. The Chair is nominated by Senior DoD Leadership. The Secretary will make the final determination and appointments. Nominations for the Military Executive and Military Enlisted Advisor are solicited from the Services. The Chairman will interview the candidates for Military Executive and Military Enlisted Advisor and make a recommendation to the Secretary.



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The seven Reserve Component members are nominated by their respective Services. The DFO will forward the names for the Secretary's approval and appointment.

The DFO is responsible for working with the Chair to fill vacancy announcements for membership under 10 U.S.C. § 10301 paragraph (c)(6), the ten individuals appointed or designated by the Secretary. Calls for nominations will then be made in the *Federal Register* or by other appropriate means to solicit resumes. The DFO will develop a list of potential candidates based on all nominations received. The DFO will evaluate potential candidates based on the criteria in 10 U.S.C. § 10301 paragraph (c)(6) and FACA requirements predicated upon the vacancy in question. Potential candidates will be further evaluated in accordance with Department of Defense (DoD) policies and procedures, which include compliance with the prohibition against lobbyists.

The Chair, in consultation with the DFO, will recommend candidates to the Under Secretary of Defense for Personnel and Readiness (USD(P&R)). Prior to the formal nomination, the list of potential candidates undergoes a review by the DoD Office of General Counsel and the Office of the Advisory Committee Management Officer to ensure compliance with federal and DoD governance requirements, including compliance with the Board's charter and the membership balance plan. Following this review, the USD(P&R) formally nominates the potential candidates to the Secretary of Defense for approval. Pursuant to DoD policy only the Secretary of Defense and the Deputy Secretary of Defense can invite or approve the appointment of individuals to advisory committees established or supported by the DoD.

Members of the Board are appointed by the Secretary of Defense for a term of service of three years, with annual renewals. Members shall not serve more than two consecutive terms of service without approval from the Secretary of Defense. Vacancies shall be handled in the manner described above.

6. Subcommittee Balance: The Department, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task groups, or working groups to support the Board. The expertise required of subcommittee members will be defined by the terms of reference.

DoD has established the following four permanent subcommittees:

- a. Subcommittee on Creating a Continuum of Service.
- b. Subcommittee on Enhancing DoD's Role in the Homeland.
- c. Subcommittee on Insuring a Ready, Capable, Available, and Sustainable Operational Reserve.
- d. Subcommittee on Supporting Service Members, Families & Employers.

The Secretary or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as members of the Board. Individuals considered for appointment to any subcommittee of the Board may come from the Board itself or new nominees, as recommended by the Board's sponsor and based upon the subject

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matter under consideration, but they must be approved by the Secretary or Deputy Secretary before participating in any subcommittee work.

Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the subcommittee of three years; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service.

Subcommittee members, if not full-time or part-time Government employees, shall be appointed to serve as experts and consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members, whose appointments must be renewed by the Secretary of Defense on an annual basis.

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Boards and Commissions (76 FR 61756; October 5, 2011).
8. Date Prepared/Updated: